

Message

From: Clements, Mindy [clements.mindy@epa.gov]
Sent: 10/30/2020 7:32:58 PM
To: Black, Ned [Black.Ned@epa.gov]
Subject: Re: Montrose Torrance - Ocean Dumping and PV Shelf

I checked with Will. No need to check.

Thank you,
Mindy Clements
US EPA R9 Superfund & Emergency Management Division
415-972-3169 W 415-308-4154 M

On Oct 30, 2020, at 12:05 PM, Clements, Mindy <clements.mindy@epa.gov> wrote:

No need.

Thank you,
Mindy Clements
US EPA R9 Superfund & Emergency Management Division
415-972-3169 W 415-308-4154 M

On Oct 30, 2020, at 11:13 AM, Black, Ned <Black.Ned@epa.gov> wrote:

Hi Mindy,
That's a fascinating question. I've never heard any mention of the dump sites before, although some of the Montrose RPMs haven't included me as much as I've been called in to other sites. I can send an email to some colleagues in NOAA and FWS to see if they have any recollection of the dump sites. Should I do so? **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) More in general, I also think that DOI and NOAA (DOC) represent the President under CERCLA for anything related to NRDA.

I'm listening to training videos for the Fires Response this morning...

Cheers,
ned

ned black, ph.d.
us epa r9
regional cercla ecologist
415-972-3055

From: Clements, Mindy <clements.mindy@epa.gov>
Sent: Friday, October 30, 2020 10:54 AM
To: Black, Ned <Black.Ned@epa.gov>; Ramirez, Leslie <Ramirez.Leslie@epa.gov>
Cc: Duncan, Will <Duncan.Will@epa.gov>
Subject: Fwd: Montrose Torrance - Ocean Dumping and PV Shelf

Ned, do you know anything about the trustees and Montrose per Enrique's question.
Leslie, can you answer Enrique's docket question?
Cynthia do you know anything about this since you have been working on Montrose a while?

Will, Cynthia and Leslie are both out all this week in case Enrique asks today.

CERCLA Natural Resource Trustees Damage Assessment originally included damage from the dump sites (1990 – 1994/5).

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I assume DOI and/or NOAA are the CERCLA "president" with regard to these sites if they fall within any protected areas established by either DOI or NOAA? For example, NOAA lists a couple of small areas around Catalina island as "marine protected areas" managed by the State. And if they are the President, they would be the ones to initiate a PA and SI, correct? I assume either NOAA or DOI have never established a CERCLA docket for any of these dump sites.

Thank you,
Mindy Clements
US EPA R9 Superfund & Emergency Management Division
415-972-3169 W 415-308-4154 M

Begin forwarded message:

From: "Manzanilla, Enrique" <Manzanilla.Enrique@epa.gov>
Date: October 30, 2020 at 10:19:14 AM PDT
To: "Lyons, John" <Lyons.John@epa.gov>
Cc: "Barton, Dana" <Barton.Dana@epa.gov>, "Clements, Mindy" <clements.mindy@epa.gov>, "Duncan, Will" <Duncan.Will@epa.gov>, "Herrera, Angeles" <Herrera.Angeles@epa.gov>, "Chesnutt, John" <Chesnutt.John@epa.gov>, "Rongone, Marie" <Rongone.Marie@epa.gov>
Subject: RE: Montrose Torrance - Ocean Dumping and PV Shelf

NPL process question regarding these dump sites.

I assume DOI and/or NOAA are the CERCLA "president" with regard to these sites if they fall within any protected areas established by either DOI or NOAA? For example, NOAA lists a couple of small areas around Catalina island as "marine protected areas" managed by the State. And if they are the President, they would be the ones to initiate a PA and SI, correct? I assume either NOAA or DOI have never established a CERCLA docket for any of these dump sites.

From: Lyons, John <Lyons.John@epa.gov>
Sent: Friday, October 30, 2020 9:37 AM
To: Fleming, Sheila <fleming.sheila@epa.gov>; Stalcup, Dana <Stalcup.Dana@epa.gov>; Mackey, Cyndy <Mackey.Cyndy@epa.gov>; DeLeon, Rafael <DeLeon.Rafael@epa.gov>
Cc: Manzanilla, Enrique <Manzanilla.Enrique@epa.gov>; Rongone, Marie <Rongone.Marie@epa.gov>
Subject: Montrose Torrance - Ocean Dumping and PV Shelf

Hi Folks

Here are my notes that I used to brief the RA Wednesday. Please note that the notes on the Montrose Plant and litigation are drawn from my work and experience as the lead EPA attorney on that litigation (1991-2000) and include my recollections and assessments from a legal perspective.

Thanks

John Lyons
Acting Deputy Director
Region 9 Superfund and Emergency Management Division
(415) 972-3889
(415) 265-0908(cell)

Ex. 5 AC/DP

Ex. 5 AC/DP